

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/625,102

Confirmation No. 8891

Applicant : Pedro M. Buarque de Macedo

Filed : July 22, 2003

TC/A.U. : 3673

Examiner : Gay Spahn

Docket No. : 50699/11

Customer No. : 1912

"Express Mail" mailing label No. EL 994276390 US	
Date of Deposit:	October 19, 2005
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Name:	Jung S. Hahn
Signature:	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 22, 2005, Applicant hereby supplements the Information Disclosure Statement filed on July 22, 2003 by enclosing Form PTO/SB/08B, containing references which may be deemed relevant to the above-identified patent application, along with a copy of each of the documents cited therein. The Examiner is respectfully requested to consider these references and indicate his or her consideration thereof by initialing the enclosed Form PTO/SB/08B and returning a copy of the initialed form to Applicant's undersigned attorney.

In the Office Action dated July 22, 2005 in the above-identified patent application, the Examiner stated that the Information Disclosure Statement submitted by

the Applicant on July 22, 2003 was in compliance with the provisions of 37 C.F.R. § 1.97, except for the two submissions listed as Cite No. 28 and Cite No. 30: a document entitled "Mission Area: Structural Blast Mitigation" ("the Mission Area Document"), and a reference entitled "Prestressed Concrete: A Fundamental Approach," by Edward Nawy ("the Nawy Reference"), respectively. This Supplemental Information Disclosure Statement addresses those two previous submissions singled out by the Examiner as being defective.

More specifically, the Examiner stated in the July 22, 2005 Office Action that she has not considered the Mission Area Document since no date of publication has been listed on the Information Disclosure Statement and the Examiners are not supposed to consider submissions that do not list a date.

The Applicant respectfully responds to the Examiner's objection by reiterating the explanation already contained in the July 22, 2003 Information Disclosure Statement. It is respectfully submitted that the Applicant authored the Mission Area Document prior to the date of invention of the subject matter disclosed in the present application and submitted this document to a governmental entity. However, the Applicant does not know whether this document was ever published by such governmental entity as set forth under 35 U.S.C. §§ 102/103.

In this connection, it is noted that the same document was submitted by the Applicant to the U.S. Patent Office as one of the references cited in the Information Disclosure Statement for U.S. Patent Application Serial No. 10/076,971 ("the '971 Application"). The '971 Application was published by the U.S. Patent Office as U.S.

Patent Application Publication No. US 2003/0145534 A1 on August 7, 2003, after the filing date of the present application. Accordingly, the Mission Area Document would have been available to the public through the U.S. Patent Office as of this publication date of the '971 Application. The Applicant is not aware of any earlier date this document would have been made available to public.

Thus, it is unknown to the Applicant as to whether the Mission Area Document is indeed a prior art publication. The Applicant nevertheless discloses this document to comply with its duty of disclosure in the event that such article is indeed found to be a prior art publication. It is respectfully requested that the Examiner consider the Mission Area Document. A copy of the Mission Area Document is being submitted herewith.

The Examiner also stated in the July 22, 2005 Office Action that the Nawy Reference was not considered since a copy of the reference did not accompany the filing of the Information Disclosure Statement. The Applicant apologizes for this inadvertent oversight and hereby respectfully submits a copy of the relevant portions of the Nawy Reference for the Examiner's consideration.

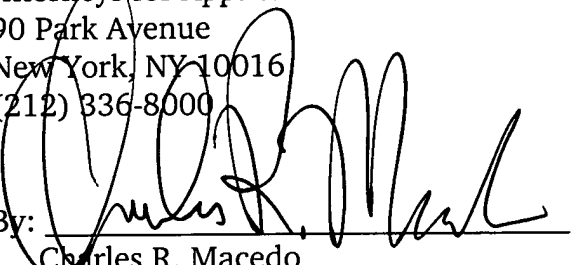
As provided for by 37 C.F.R. 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be, material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in the statement.

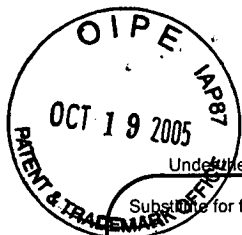
A check in the amount of \$180.00 is included herewith to cover the fee for the submission of this Information Disclosure Statement, which is being submitted prior to the mailing date of a Notice of Allowance or a final Office Action in the above-referenced application. No additional fees are believed to be due. However, authorization is given hereby to charge any deficiency or credit any overpayment to Deposit Account No. 01-1785.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP
Attorneys for Applicant
90 Park Avenue
New York, NY 10016
(212) 336-8000

Dated: New York, New York
October 19, 2005

By: 
Charles R. Macedo
Registration No.: 32,781



PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/625,102
Filing Date	July 22, 2003
First Named Inventor	Pedro M. Buarque de Macedo
Art Unit	3673
Examiner Name	Gay Spahn
Attorney Docket Number	50699/11
Sheet 1 of 1	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"Mission Area: Structural Blast Mitigation" (preparation date: July 16, 1999; publication date unknown)	
		EDWARD G. NAWY, "Prestressed Concrete: A Fundamental Approach," 1989, pp. 8-13, Prentice-Hall, Inc., Englewood Cliffs, New Jersey	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.